





























# Manual

This manual will be available perpetually in draft mode with additional professional development materials and technical assistance information available for our users. Updates will be posted as they are created.

If the manual is useful to your staff as it is offered, you may wish to direct your staff to this link where they will always have access to the most recent work of the project. If it is your intent to modify the manual with local instructions, then you may wish to download the file in Publisher, make your modifications, and provide your copy to your staff.

<https://ican.doe.state.in.us/COMMON/help/Reference/istarref.htm>

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## **Rationale for State-Sponsored IEP**

- Infuses compliance into practice
- Provides a future means to collect state data and expedite compliance monitoring
- Provides a means to continuance of information and services as students transfer
- Encourages an efficient distribution of resources

## **Overarching Principles**

- Provide what is minimally required by law.
- Provide features that permit local augmentation
- Provide security of record access
- Provide technology to streamline clerical responsibilities and encourage paperwork reduction

## **Article 7 Compliance:**

Throughout the screen shots, links have been embedded which will take the user to sections of Article 7 text which further explain the intentions and justifications for prompts within the case conference.

## **For Further information:**

Please visit the ICAN Project website at:

<https://ican.doe.state.in.us>

## Legal History 101

Q: What are the laws and regulations that guide our work in special education? How did these come about?

- In 1975, Congress passed public law 94-142, also known as the Individuals with Disabilities Education Act or IDEA. IDEA ensures that all eligible students with disabilities are provided a free appropriate public education (FAPE) in the least restrictive environment (LRE).
- Indiana implements IDEA via its own set of special education rules promulgated in the Indiana Administrative Code. These rules are commonly referred to as “Article 7.” Article 7 governs how special education services are provided in Indiana. Links to Article 7 are embedded throughout this software so that users can understand why particular information is important.
- In 2004, congress reauthorized IDEA. This law is known as IDEA ‘04 or the IDEIA (Individuals with Disabilities Education Improvement Act). The law was signed by President Bush on December 3, 2004, and took effect on July 1, 2005. Federal regulations interpreting IDEA ‘04 became official on October 13, 2006. Since that time, Indiana has been preparing recommendations for amending Article 7.
- Beginning in January of 2008, the Indiana Department of Education, Division, of Exceptional Learners, with recommendations from the State Advisory Council for the Education of Children with Disabilities, began to present to Indiana’s State Board of Education the changes it believes need to be made to Article 7. Any changes to Article 7 will be made by the State Board through the State of Indiana’s administrative rule promulgation process. The summer of 2008 is a target date for the completion of this process.

The ISTART7 technology was created to support school systems as they strive to maintain the intentions of the law. This manual references regulations, lessons from adjudication, guidance from federal agencies, and professional resources in order to provide a clear picture of the decision-making processes that are required to best serve the student.

Q: How does the promulgation of a new Article 7 affect the way that case conference committee meetings are conducted and the way that Local Education Agencies produce the related documentation?

A: Now that Article 7 is promulgated, schools must be prepared to comply with all of the requirements of the rule. Due to the investment required to get staff members up to speed, this training material and access to a training website has been provided to ICAN partner sites months before the regulation takes affect.

We advise administrators to consider providing this particular guide electronically to the staff-in-training rather than investing dollars in producing many hard copies. The sections of the document will stay the same, but it is almost certain that the content will evolve to be responsive to the decisions of the State Board. In addition, the ICAN Project staff will continually update the electronic version even after promulgation in order to augment training with new findings and references. The most current version will always be available on the Project website.

Project Website:

<https://ican.doe.state.in.us/CC/cchome.htm>

Training Website:

<https://istartraining.doe.state.in.us>

## Content of IEP

**Q:** How was the content and organization of the electronic IEP determined:

**A:** A team of Specialists from the Indiana Department of Education, Center for Exceptional Learners, met monthly with project staff and special education administrators to walk through the practical implications of the language written in Article 7. The intention was to create a visual decision-making process that best represented the spirit of the law and produced reports that satisfied the letter of the law.

The team was challenged to differentiate what was minimally required in regulation from what potentially could be the promotion of a unique philosophy or a continuance of an obsolete practice. Two particular points from IDEA were kept in mind throughout this work. The first was an IDEA provision that states: "Nothing in the IEP provisions shall be construed to require that additional information be included in a child's IEP beyond what is explicitly required." 20 USC 1414(d)(1)(A)(ii)(I). In other words, districts are not required to add anything to the document other than what is plainly required by the law. This includes requirements of Indiana's Article 7. Secondly, "Nothing in the law shall be construed to require the IEP team to include information under one component of a child's IEP that is already contained in another part of the document." 20 USC 1414(d)(1)(A)(ii)(II). This motivated the team to eliminate repeated data entry.

The IEP tool itself was reviewed by legal counsel at the DOE and revised to assure that users would have the best guidance for full compliance. At the same time, public agency representatives are not prohibited from adding anything to the training material that is locally deemed essential for a comprehensive process.

This manual has been organized into tabs to represent the case conference committee processes as depicted in the similarly-labeled tabs on the screens of the ISTART7 software.

## Icons in the Interface

**Q:** What do the icons at the top of each page do?

### View Article 7

Click on this to link to view the full copy of Article 7.

### Written Notes and other relevant factors

Click on this link to get to what was previously referred to as General Notes. The term was changed to match the terminology in Article 7. View notes archived from previous case conferences from here as well.

### Attachments


Use this link to upload external files or local preferences to supplement the IEP documentation. Note that there are opportunities to upload documentation in appropriate places through various prompts at different points in the process. This link is only for those attachments not prompted elsewhere.


### Edit Student Information


This links to the student information page where information such as grade level or parent contact can be updated.

### Exit

Return to the dashboard by clicking on this link.

 This is the "Magic 7". It can be found in various places throughout the software. Mouse over the icon to see the Article 7 code that regulates the language near the prompt. Click on it to view the exact language from Article 7.

 The scissor icon serves to delete or cut the particular item from the collection.

 Click on this icon to excuse particular members from the case conference committee meeting.

Select the language of the interface from just under the "Written Notes" link on the header of each page.

## Security Practices

Q: Anytime that we looked at a paper file, we always had to sign our name and write the date and purpose for viewing any student's files. Now that the file is electronic, how is this security requirement handled?

A: Compared to the practice of managing paper files, electronic files offer a much higher level of security. This is one example.

In order for an individual to have access to a case conference file, that person has to have been issued an account that has been registered as having a legitimate educational interest for access to this student's record.

Then, when this individual attempts to access the record, the system automatically records the name of the user and the date. It prompts the user to enter a purpose for viewing the record.

This entry is added to a security log which can be viewed through an administrative access.

Q: We currently use a system that produces electronic files that we can email back and forth. Is there anything wrong with this?

A: It is highly ill-advised to use regular email to transfer anything that is considered confidential. Email is not secure, even with the "confidential" statement stamped at the bottom of every email. It is considered irresponsible to share material without access logs and other security protections. Besides web vulnerability, unprotected information can be accidentally emailed to parties that do not have a legitimate educational interest.

Q: New regulations permit the provision of electronic files to parents. How do we do this without using email?

A: Some school districts have a system that distributes parent logins to a secure website where the parents can access their children's records. If this is available and meets industry standard for security, this could be a solution. Some schools have determined that obtaining parent consent to send records via email is adequate, although this requires oversight and carries inadvisable risks. One idea is to ask the interested parent to bring a thumb drive to the case conference committee meeting where you could save copies of the documents for them.

Q: How can we take "reasonable steps to promptly obtain" the records of students who move in from other districts?

A: The state system makes it easy to securely obtain records from systems that are also using ISTART7. Once the local STN administrator uses the STN Lookup system to claim the student, the student records will be available to administrative accounts in your district the very next day. This is another reason to have good communication with a trained local STN administrator.

Unfortunately, other methods will be necessary to obtain records from districts that are not using the state system or from schools outside of Indiana.

## ITP

Q: Where is the ITP?

A: Rather than creating a separate document called an "Individual Transition Plan", the required transitional components are integrated into a transitional individual education program as described in 7-43-4.

This change was intended to advance the integration of post-secondary goals as the driving vision for annual goals, transitional services, and other supports.

When holding a case conference committee meeting for a student of transition age, the software will automatically select transition as one of the purposes for the meeting and will reveal all of the related prompts at the appropriate stages in the decision process.

## Rationale

Q: Why are there extra questions throughout the process that continually prompt for reasons and rationale?

A: Article 7 requires rationale for particular decisions to be articulated in the written consent that is presented to the parent. Rather than requiring the authoring of this at the conclusion of the meeting, the rationale for each decision is prompted at the time that the decision is made. Then, the content of these entries will be combined into a compliant document. In this way, the IEP will meet the requirements of a written notice.